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October 1, 2009

The Honorable Sue L. Robinson  
United States District Court  
844 King Street  
Wilmington, Delaware 19801

VIA ELECTRONIC FILING

Re: *Girafa.com, Inc. v. Amazon Web Services LLC, et al.*,  
C.A. No. 07-787-SLR

Dear Judge Robinson:

We are writing to address Snap's letter of September 30, 2009 submitting its supplemental interrogatory responses. Snap's submission confirms Girafa's point as explained at the pretrial conference on September 29, 2009. To this end, Snap's supplemental response to Interrogatory No. 2 simply contends that Snap does not generate a database. Snap never explained any basis for this contention as requested in the interrogatory. Thus, while Dr. Myers explained in his initial expert report why he believed Snap's BOA system was a database, Dr. Myers could not have anticipated the specific basis for Snap's contention until after receiving Snap's expert rebuttal report. Accordingly, Girafa respectfully submits that striking Dr. Myer's second supplemental report would be rewarding Snap for hiding the basis of its contention (which was specifically requested in the Interrogatory) until its rebuttal report.

Respectfully,

*/s/ Tiffany Geyer Lydon*

Tiffany Geyer Lydon

TGL/dmf

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Claude M. Stern, Esquire (via electronic mail)  
Arthur G. Connolly, III, Esquire (via electronic mail)  
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